

and stories are no longer common cultural parlance in our country.

Speaking, in order to be heard today, a language largely shorn of religious nuances, the believer can still ask two questions of the vision behind legal discourse:

First, can the vision of courts and legislatures expand to see at least dimly God's actions and purposes in history? Abraham Lincoln of Illinois used public language to speak of God's purpose at the end of a bloody American civil war: "With firmness in the right, as God gives us to see the right, let us strive to finish the work we are in." Lincoln, who wrestled like a biblical prophet with God's purposes in history and his judgment on this nation, grew, because of his public service, in his ability to bring together, always tentatively, the law he defended finally with his own and God's word which, like a two-edged sword, cuts through the rhetoric of public as well as personal deceit. Lincoln knew that God judges nations as well as persons, and he forged a language which, at the end, placed even the personal liberty to which this nation was dedicated second to the designs of God himself. Are we permitted to speak similarly today or must the language of law, rather than setting use free, blind us and leave us mute in any world not constructed by our private interests and intentions?

And a second question, put to use often these days by Pope John Paul II: does the vision of the human person found in public laws and decisions adequately express what it means to be human? Do our laws not only protect contracts but also tend to force all human relations into them? Is the language of contract becoming the only public language of America? Does the model of association which is accorded public rights tend more and more to constrain or even exclude the natural family, the life of faith, cultural and racial groupings, relations which cannot be unchosen without destroying the human persons shaped by them.

Christian faith gives us a vision of a person we call the Word of God, made flesh. Crucified and risen from the dead, Jesus sends us the Holy Spirit, who speaks every language and gives every good gift. This vision should set us free from any lesser picture of things; the language of faith should keep us from supposing that we adequately understand reality in its depths and heights. This is a vision that should humble and, in humbling us, open us to other worlds. Approaching a third Christian millennium (using what is now a common calendar), we gather to worship the God we believe to be the Father of Our Lord Jesus Christ and therefore, in Christ, our Father as well. It is good to do so, for if we do not worship God we will inevitably end up worshipping ourselves. Nations worshipping themselves have plagued this last century of the second millennium, and God's word prompts us now to examine a new ourselves and our history. Without warrant, we have associated ourselves with the biblical city on a hill, not Nazareth but Jerusalem itself. Without right, we too often judge other peoples and nations by our standards and interests, assuming that our interests must be universal. Without sense, we even seriously consider if this nation is the end of history, as if our present political and economic arrangements were surely the culmination of God's designs for the universe. Lincoln, who had the good grace to speak of us only as an "almost chosen people", would surely blush, and so should we.

Today, as yesterday and tomorrow, the Church speaks a language of respect for public office holders, whose vocation is shaped by the constraints of law; both the Church, today as yesterday and tomorrow, also speaks as best she can to judge the actions

and decision of public officials, and the culture shaped by them, when these are inadequate to the vision given us by the truths of faith. "Faith must become culture," Pope John Paul II says. "What are you doing to change the culture?" he asks. But how can we speak of change in America today when the law itself blinds us to basic truths? One egregious blind spot is our very sense of liberation construed as personal autonomy. An autonomous person has no need of jubilee, of freedom as gift; he has set himself free. The fault line that runs through our culture, and it is sometimes exacerbated rather than corrected by law, is the sacrificing of the full truth about the human person in the name of freedom construed as personal autonomy. It is a blind spot as deep as that in Marxism's sacrifice of personal freedom in the name of justice construed as absolute economic equality. Such a profound error makes our future uncertain. Will the United States be here when the human race celebrates the end of the third millennium? Not without a very changed, a very converted culture.

The Church, however, must also listen first to God's word before she speaks, before she translates God's word into the words of our culture or any other. Hence the Church can speak only with deep humility a language which purports to give definitive access to God's designs in history. Even prophetic judgment, while certain in its proclamation, is tentative in its final outcome. The Spirit is always free, but never self-contradictory.

Tentatively, then, let us try the language of prayer and ask that God's judgment fall lightly on us and our nation. Gratefully, I pray that God reward your dedication to public service and your desire to create a common language adequate to the experience of all our people and open to all others. Joyfully, let us hope that the Jubilee introducing the coming millennium may restore to the United States a sense of authentic freedom rooted in an ever-growing generosity of spirit. May God bless us all. Amen

#### HONORING MRS. ELIZABETH TERWILLIGER

#### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor a truly outstanding and special woman in my Congressional District, Mrs. Elizabeth Terwilliger. Everyone knows her as "Mrs. T," and it's not an understatement when I say that almost everyone in Marin County, California, knows Mrs. T. Her devotion to people and the environment has made Mrs. T legendary, and has truly shown what a very special person she is.

As an internationally recognized environmentalist and naturalist, Mrs. T has molded generations of nature lovers who now care for our nature trails the way she does. For the last four decades, hundreds of families in Marin County have joined Mrs. T for her renowned nature walks. No one has cared for Marin County's pristine, natural surroundings the way she has, which is why the exceptional Elizabeth Terwilliger Nature Education Center was dedicated in her honor.

The Nature Center was founded to foster Mrs. T's unique multi-sensory teaching technique that advances the exploration of our environment. The Center allows children to discover nature through a variety of field trips

and educational resources, and arranges the famed nature walks for all ages. Last year alone, these wonderful programs involved 70,000 children from the Bay Area in the wonders of nature and the stewardship needed to preserve it.

Recently, the legions of Elizabeth Terwilliger's fans gathered in Olompali State Park in Novato, California to celebrate her 89th birthday. Fittingly, these events are as spontaneous and special as Mrs. T herself. Families brought picnics to the park to enjoy the company of each other and the wonderful woman who brought them all together. This year, a wonderful bronze statue of Elizabeth was unveiled as part of the celebration.

I would like to take this opportunity to salute Mrs. T and offer my sincere birthday wishes. She is what makes California's Sixth Congressional District so wonderful. Elizabeth Terwilliger's curiosity and passion for both nature and people has been infectious among Marin County residents, and that is her gift to us all. I am proud to honor this living legend, and I ask my colleagues to please join me in recognizing Mrs. Elizabeth Terwilliger.

#### TAXATION OF FOREIGN OPERATIONS OF U.S. ELECTRIC AND GAS UTILITIES

#### HON. JIM MCCRERY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Mr. MCCRERY. Mr. Speaker, today, I am introducing legislation to remedy a problem brought to my attention by the U.S. utility industry involving the taxation of foreign operations of U.S. electric and gas utilities. These firms were prohibited for many years from doing business abroad until the National Energy Policy Act (NEPA), enacted in 1992, removed that prohibition. With passage of NEPA, and as some foreign governments began privatizing their national utilities and increasing energy demands necessitated the construction of new facilities to fulfill the new capacity, U.S. utilities began to make foreign investments. Since 1992, U.S. utility companies have made significant investments in utility operations in the United Kingdom, Australia, Eastern Europe, and South America.

Foreign utilities are particularly attractive investments from a U.S. viewpoint. They are not "runaway plants", but rather stimulate job creation in the U.S. in design, architecture, engineering, construction and heavy equipment manufacturing. When the subsidiary of an U.S. utility builds generating plants, transmission lines, or distribution facilities to serve its foreign customers, these most often come from U.S. suppliers. Given that the U.S. energy market is mature, overseas investments are a good way for U.S. utilities to diversify and grow, to the benefit of their employees and their shareholders.

Unfortunately, the Internal Revenue Code penalizes these investments by subjecting them to double taxation. Under the foreign tax credit rules, the interest expense of a U.S. person is allocated in part to its foreign operations based on the theory of the "fungibility of money." The allocation formula in Internal Revenue Code section 864 requires U.S. domestic interest expense to be allocated based

on the value of the company's foreign and domestic assets. If a firm has mature (depreciated) U.S. assets and newly acquired overseas assets, like many U.S. utilities, a disproportionate amount of U.S. interest expense will be allocated abroad. The result is a very high effective tax rate on that foreign investment and a loss of U.S. foreign tax credits. Rather than face this double tax penalty, some U.S. utilities have actually chosen not to invest overseas and others have pulled back from their initial investments.

One solution to this problem is found in the legislation that I am introducing today. Our remedy is to exempt the debt associated with a regulated U.S. utility business (the furnishing and sale of electricity or natural gas) from the interest allocation rules of Internal Revenue Code section 864. The proposal would allocate and apportion interest expense attributable to qualified infrastructure solely to sources within the United States. "Qualified infrastructure indebtedness" would be defined as debt incurred in a corporation's trade or business of furnishing or selling electricity or natural gas in the United States. Further, the rates for such furnishing or sale of electrical energy must be regulated or set by the federal government, a State, the District of Columbia or a political subdivision thereof.

I am also aware that my colleagues on the Committee on Ways and Means, Congressmen HOUGHTON and LEVIN, together with Senators HATCH and BAUCUS, have been leading a multi-year effort to reform the international tax laws. I am a strong supporter of that effort, which is intended in part to rectify the disconnect between our nation's favorable trade laws and our tax laws, which too often penalize American firms wanting to expand into foreign markets. The problem of interest allocation has not yet been addressed in the Houghton-Levin legislation, but I strongly urge that this provision be included in any foreign tax reform bill introduced in the next Congress. Further, because the process of getting legislation enacted into law properly involves consultation with Treasury, the affected industry, and the bar, we encourage those with subject matter expertise in this area to review our bill. I believe my bill reflects the best thinking now available on how to address this serious problem, but we are certain that further reflection will yield an even better ??? for U.S. utilities attempting to invest overseas.

#### TRIBUTE TO TOM HART

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to a legendary leader of my community. Tom Hart of Toledo, Ohio, died on the morning of August 25, 1998 at the age of 62 after waging a battle of courage and grace against cancer.

A veteran, Tom was born and raised in Toledo, graduating from Central Catholic High School and the University of Toledo, and establishing a successful marketing and public relations firm in his hometown. As his business grew, he earned a solid reputation for his marketing expertise, his connection to the community, and his creativity. Tom Hart was,

in fact, the mastermind behind many of the Toledo area's successful political ad campaigns. From 1967 through 1987, his ads were part of eleven mayoral election victories. Long-time Toledo Mayor and elder statesman Harry Kessler noted, "He could put more in a 22 second commercial than any man I ever knew." His style in advertising became a fixture in our regional landscape, as Tom won many awards over the years for his creativity and achievement. His ads have become part of Northwest Ohio's political and financial history.

Strongly committed to his community, Tom gave freely and often of his time and talents. He was frequently a gifted master of ceremonies for many community functions. One prominent businessman described, "The guy was into giving back to the community. That was his ethic. He wasn't afraid to put his time and effort into helping people."

Feted as both a business and community leader, nonetheless family was first and foremost to Tom Hart. To his wife, Kathleen, his children Sheila, Mary Lynn, Michael, and Timothy, and nine grandchildren, he leaves a legacy of love and commitment. May their memories of this strong, self-willed, self-made man, devoted husband, father, and grandfather, shine through to sustain them.

#### STATEMENT REGARDING THE CREATION OF A PUBLIC HEALTH PESTICIDE REGISTRATION PROGRAM

#### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Mr. VISCLOSKY. Mr. Speaker, the committee report which accompanies the Labor, HHS, Education appropriations bill, as approved by the Appropriations Committee, encourages the National Institute for Environmental Health Science (NIEHS) to cooperate with the Environmental Protection Agency (EPA) to support provisions in the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended, relating to the registration and re-registration of public health pesticides.

In 1996, FIFRA was amended by a set of reforms which were enacted in the Food Quality Protection Act (P.L. 104-170). This legislation authorized \$12 million per year for the creation of a public health pesticide data collection program within the department of Health and Human Services (HHS). Many pesticides are specialized products with a low-volume sales markets. For many of these products, the cost of generating the data necessary to maintain registrations far exceeds return on sale. Consequently, many EPA registered pesticides are cancelled for economic reasons.

The EPA Administrator, in consultation with the Secretary of HHS should promote research on products used in combating and eradicating urban pests, including rats, mice, cockroaches, flies mosquitos, ticks, and fleas.

These pests pose a serious health risk to the general population in densely populated cities and suburbs. Vulnerable sub-populations such as children, the elderly, and individuals with compromised immune systems are par-

ticularly at risk. Pesticides registered for public health uses are utilized to prevent the spread of bacteria which are carried by pests, such as Salmonella, Legionnaire's Disease, E. Coli, Lyme Disease, Encephalitis.

#### IN RECOGNITION OF CARLTON A. FUNN, SR.

#### HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Mr. MORAN of Virginia. Mr. Speaker, I would like to take this opportunity to recognize Mr. Carlton A. Funn, Sr., a distinguished teacher and contributor to the preservation of Africa-American history in Virginia and throughout the nation.

Mr. Funn's life's work and passion began in 1947 as a seventh grade student at Lyles-Crouch School in Alexandria, Virginia. Reading his Virginia history textbook, he noted the absence of any reference to the contributions and achievements of African-Americans in Virginia history. Upon his return to Lyles-Crouch School ten years later as a seventh grade teacher, Mr. Funn was dismayed to find that the same textbook was still being used. Motivated by this discovery, Mr. Funn began to collect memorabilia and artifacts that reflected African-Americans' contributions to Virginia and the United States.

What started as a small collection has grown into a large exhibit highlighting the contributions to our national history of African-Americans, and other minority groups. Mr. Funn's exhibit has been shown in eleven different states on more than 380 occasions. This display is truly an inspiration to young people and adults alike.

Mr. Funn has served our region as an educator for more than 42 years, first as a teacher in the Alexandria School system, then in Fairfax County, and currently with the D.C. Public Schools. He was recently honored as the Mid-Atlantic Region recipient of the 1998 Excellence in Teaching Award presented by the National Council of Negro Women, Inc. This very competitive award honors teachers who instill a thirst for knowledge in African-American children.

Mr. Speaker, I am grateful for the contribution that Mr. Funn has made to the education of children in my district, and children throughout the nation. Thanks to the work of Mr. Funn, students in communities all over the nation have been able to appreciate the contributions that African-Americans and other minorities have made to American history.

#### OPERATION: EASTERN STAR

#### HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 20, 1998*

Mr. REYES. Mr. Speaker, as a former employee of the Immigration and Naturalization Service (INS), I am proud to rise today to honor the outstanding performance of the El Paso INS Investigations Team and their investigation, *Operation: Eastern Star*, which dismantled a global smuggling network. The El